

REMARKS/ARGUMENTS

The Final Office Action mailed **July 6, 2006**, has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

Record of Interview

On December 28, 2006, an interview was conducted by telephone between Examiner Avellino and the undersigned. The Applicants thank the Examiner for granting this interview. The details of the interview are set forth in the Interview Summary document made of record.

Claim Status and Amendment to the Claims

Claims 1-4, 9, 13, 21-24, 26-29, 45-48, 50, 52-55, 57-60, and 62-71 are now pending.

No claims stand allowed.

Claims 1, 21, 26, and 45 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the Specification at p. 15 line 21 to p. 16 line 16. The text of claims 2-4, 9, 13, 22-24, 27-29, 46-48, 50, 52-55, 57-60, and 62-71 are unchanged, but their meaning is changed because they depend from amended claims.

Claims 5-8, 10-12, 14-20, 25, 30-44, 49, 51, 56, 61, and 72-74 have been canceled, without prejudice or disclaimer of the subject matter contained therein.

With this Amendment it is respectfully submitted the claims satisfy the statutory requirements.

The First 35 U.S.C. § 103 Rejection

Claims 1, 2, 13, 21, 26, 45, 51, 53-56, 58-61, and 63-74 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Perkins¹ in view of Inoue '819,² of which claims 1, 21, 26, and 45 are independent claims.³ This rejection is respectfully traversed. According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.⁴

Claim 51

Claim 51 (now cancelled) recited:

The network access server in accordance with claim 1 wherein said IP address requester transmits the user's authentication information to the HGS with the request for an IP address.

The Examiner states:

... Perkins discloses said IP address requester transmits the user's authentication information to the HGS with the request for an IP address (col. 5, line 50 to col. 6, line 20).⁵

The Applicants respectfully disagree. Contrary to the Examiner's statement, Perkins does not disclose wherein said IP address requester transmits the user's authentication information to the HGS with the request for an IP address.

¹ U.S. Patent No. 5,159,592 to Perkins.

² U.S. Patent No. 6,891,819 to Inoue et al.

³ Office Action dated July 6, 2006, ¶ 1.

⁴ M.P.E.P. § 2143.

⁵ Office Action dated August 25, 2005, ¶ 7; Office Action dated February 2, 2006, ¶ 9; Office Action dated July 6, 2006, ¶ 6.

In an Office Action dated February 2, 2006, the Examiner's response to the Applicant's argument that Perkins does not disclose the limitations of Claim 51, was:

... Applicant argues, in substance that (1) Perkins does not disclose sending user authentication information ...

As to point (1) Applicant's are referred to the rejections above as to the rationale such that '819 supplies user authentication information.⁶

As an initial matter, the Applicants note that the Examiner's rejection of Claim 51 makes no reference to Inoue '819; the Examiner's rejection refers to Perkins. And as pointed out in a prior Response,⁷ the information in Perkins sent by a mobile node is not user authentication information. The Office Action equates the serial number or other identifying information of the mobile unit as user authentication information. However, that is incorrect. User authentication information is information regarding the user, not the device. A serial number of a mobile device does not indicate whether the particular user operating the mobile device is who he claims to be. Instead, it merely identifies the device. User authentication information would be identical no matter which mobile device the user is attempting to use. This allows, for example, a user to log-in to the system on any mobile device, not just one particular one. Additionally, the serial number in Perkins is used by the global gateway to determine whether there is any data in the global node that is to be forwarded to the mobile node, and to purge saved packets, but not to authenticate the user. As such, there would be no reason for the global gateway in Perkins to receive the user's authentication information.

Furthermore, Inoue '819 also does not disclose wherein said IP address requester transmits the user's authentication information to the HGS with the request for an IP address.

⁶ Office Action dated February 2, 2006, ¶¶ 18-19.

⁷ Response mailed December 22, 2005, pp. 14-15.

Inoue '819 discloses performing host authentication and user authentication in the same step by including the password with the registration request.⁸ However, Inoue '819 teaches away from doing so.⁹ And by the time the user in Inoue '819 registers the user's new location, the user has already obtained an IP address.¹⁰ Thus, Inoue '819 cannot possibly teach transmitting user authentication information *with* a request for an IP address.

With this Amendment, the limitations of Claim 51 have been added to independent claim

1. As such, the Applicants respectfully submit that Claim 1 is now in condition for allowance.

Independent Claims 21, 26, and 45

Claim 21 is a method claim corresponding to apparatus claim 1 and thus includes limitations similar to Claim 1. Claim 26 is an *In re Beauregard* claim corresponding to apparatus claim 1 and thus includes limitations similar to Claim 1. Claim 45 is a means-plus-function claim corresponding to method claim 21 and thus includes limitations similar to Claim 21. With this Amendment, Claims 21, 26 and 45 have been modified to include the limitations of Claim 51 that have also been included in presently amended Claim 1. Claim 1 being allowable, Claims 21, 26, and 45 must be allowable for at least the same reasons.

Dependent Claims

As to dependent claims 2-4, 9, 13, 22-24, 27-29, 46-48, 50, 52-55, 57-60, and 62-71, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

⁸ See Inoue '819 at col. 9 ll. 55-64.

⁹ See Inoue '819 at col. 9 l. 65 to col. 10 l. 14.

¹⁰ Inoue '819 at col. 7 ll. 31-40.

The Second 35 U.S.C. § 103 Rejection

Claims 3, 9, 23, 28, 47, 57, and 62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkins in view of Inoue '819, and further in view of Holt et al.^{11 12} This rejection is respectfully traversed.

As to dependent claims 3, 9, 23, 28, 47, 57 and 62, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The Third 35 U.S.C. § 103 Rejection

Claims 4, 24, and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkins in view of Inoue '819, further in view of Holt et al., and further in view of Inuoe '616.¹³
¹⁴ This rejection is respectfully traversed.

As to dependent claims 4, 24, and 48, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The Fourth 35 U.S.C. § 103 Rejection

Claims 22, 27, 46, and 50 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Perkins in view of Inoue '819, further in view of Reid et al.^{15 16} This rejection is respectfully traversed.

As to dependent claims 22, 27, 46, and 50, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

¹¹ U.S. Patent No. 6,070,192 to Holt et al.

¹² Office Action dated July 6, 2006, ¶ 8.

¹³ U.S. Patent No. 6,442,616.

¹⁴ Office Action dated July 6, 2006, ¶ 11.

¹⁵ U.S. Patent No. 6,233,616 to Reid et al.

¹⁶ Office Action dated July 6, 2006, ¶ 12.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Request for Interview

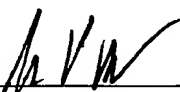
Applicants respectfully request an interview to expedite the prosecution of this application. Submitted herewith is an Applicant Initiated Interview Request Form. The Examiner is invited to call the undersigned attorney at the number indicated below to schedule a telephonic interview to discuss the matter.

The Applicants respectfully request that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

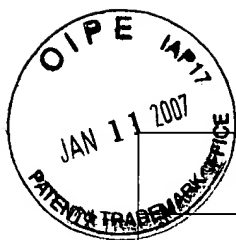
THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: January 5, 2007



John P. Schaub
Reg. No. 42,125

THELEN REID BROWN RAYSMAN & STEINER LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
Fax. (408) 287-8040

**Applicant/Attorney Interview Summary**Application No.: 09/513,489 First Named Applicant: Aravind SitaramanExaminer: Joseph E. Avellino Art Unit: 2143 Status of Application: PendingParticipants: (1) John P. Schaub (2) Joseph E. Avellino

(3) _____ (4) _____

Date of Interview: 12/28/06Time: 1:30 PM (EDT)**Type of Interview:**(a) ☒ Telephonic(b) ☐ Personal(c) ☐ Video ConferenceExhibit Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description:

Issues Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>§ 103 Rej.</u>	<u>1</u>	<u>Perkins, Inoue '819</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached☐ Copy of Amendment attached**Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:**

The § 103 rejection of claim 1 based on Perkins in view of Inoue '819 was discussed.
No agreement was reached.

Note: The MPEP, section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the Examiner was reached at the interview.

In every instance where reconsideration is requested in view of an interview with an Examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the Applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)


(Applicant/Applicant's Representative Signature)



Applicant Initiated Interview Request Form

Application No.: 09/513,489 First Named Applicant: Aravind Sitaraman
Examiner: Joseph E. Avellino Art Unit: 2143 Status of Application: Pending

Tentative Participants:

(1) John Schaub (2) Joseph E. Avellino
(3) _____ (4) _____

Proposed Date of Interview: 01/26/07 Proposed Time: 1:00 PM (EDT)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>§ 103 Rej.</u>	<u>1,21,26,45</u>	<u>Perkins, Inoue '819</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Patentability of amended independent claims 1, 21, 26 and 45 over Perkins and Inoue '819.

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

John P. Schaub
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

John P. Schaub
Typed/Printed Name of Applicant or Representative

42,125

Registration Number, if applicable

Atty. Docket No.: CISCO-1818 (032590-091)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.